

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, APRIL 3, 2001
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Murphy at 10:05 a.m. The meeting was recessed by Mayor Murphy at 10:24 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Murphy at 11:31 a.m. with Council Member Peters absent and Council District 6 vacant. The meeting was recessed by Mayor Murphy at 12:00 p.m.

The meeting was reconvened by Mayor Murphy at 2:07 p.m. with all members present and District 6 vacant. The meeting was recessed by Mayor Murphy at 3:18 p.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Murphy at 3:27 p.m. with all members present and District 6 vacant. Mayor Murphy adjourned the meeting at 4:03 p.m. into Closed Session immediately in the twelfth floor conference room to discuss existing litigation matters and anticipated litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council District-vacant
- (7) Council Member Madaffer-present

(8) Council Member Inzunza-present

Clerk-Abdelnour (er/rl)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin/Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member District 6-vacant
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Daniel Beeman commented that the citizens of San Diego need to be heard by the City Council. He expressed his concerns regarding recent court cases against the City and the amount of money that was awarded.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A012-051.)

PUBLIC COMMENT-2:

Don Stillwell encouraged everyone to visit the San Diego Wild Animal Park and recognize the San Diego Wild Animal Park for the important work they do in the area of endangered species conservation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A053-075.)

PUBLIC COMMENT-3:

Comment by Jane Hewitt regarding the De Anza Cove Community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-104.)

**PUBLIC COMMENT-4: REFERRED TO THE LAND USE AND HOUSING
COMMITTEE**

Comment by Mel Shapiro regarding the demolition of 58 apartments on Spruce Street.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-142.)

PUBLIC COMMENT-5:

Comment by Kathleen Blavatt regarding the community's voice.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A151-185.)

COUNCIL COMMENT:

None.

ITEM-330: The Gray Residence.

Matter of an appeal by AT&T Wireless Services, from the decision of the Planning Commission in denying an application for a wireless communication facility consisting of six pole mounted panel antennas and associated electronic equipment on a .22 acre site located at 13003 Avenida Grande in the Rancho Penasquitos Community Planning Area.

(CUP-99-0464-54. Rancho Penasquitos Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A to grant the appeal and grant the permit, adopt the resolution in Subitem B:

Subitem-A: (R-2001-) CONTINUED TO TUESDAY, MAY 1, 2001

Adoption of a Resolution granting or denying the appeal and granting or denying the Conditional Use Permit No. 99-0464-54, with appropriate findings to support Council action.

Subitem-B: (R-2001-) CONTINUED TO TUESDAY, MAY 1, 2001

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration (END) LDR No. 99-0464-54 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State Guidelines thereto (California Administrative Code Section 15000 et seq.), and that said END reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said report has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081;

and that based upon the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment.

OTHER RECOMMENDATIONS:

Planning Commission on February 1, 2001, voted 6 - 0 to deny the project and approve the written CUP findings provided at this hearing with a revision to findings C and D to substitute the words "commercially zoned" with "non-residential zones," and approve certification of the negative declaration; no opposition.

Ayes: Steele, Anderson, Brown, Butler, Stryker, Garcia
Not present: Skorepa

The Rancho Penasquitos Planning Board on January 3, 2001, voted 13-0-0, to recommend denial of this project.

SUPPORTING INFORMATION:

The project proposes to install and operate a wireless telecommunication facility on a 0.22 acre site located at 13003 Avenida Grande. The Rancho Penasquitos Community Plan designates the site for low density residential land use. The property is zoned RS-1-7 (formally R-1-5,000). The property is developed with a single-family residence and surrounded by similar single-family development to the north, east and west. The site is adjacent to Open Space to the south and overlooks State Route 15 to the southeast. The rear portion of the site is identified on City Zoning Maps as containing steep hillsides (formerly Hillside Review Overlay), however, analysis of the site has determined that the slopes are manmade and are comprised of fill material created with the grading and development of the subdivision. These slopes contain no sensitive environmental resources.

The project proposes six, pole-mounted directional panel antennas on four sixteen foot high poles and an accessory equipment area. The original project submittal proposed a thirty foot tall mono-palm design. Subsequent design variations included discussions with area neighbors and city staff of a mono-"pine" and a faux-chimney. All of these design alternatives, including the recent proposal, have been met with opposition from the surrounding neighborhood. The proposed facility would consist of four, sixteen foot high poles with either one or two antennas attached at the top (the sixteen feet includes the antennas). Each of the four poles is approximately 12-inches in diameter. The six panel antennas have an approximate dimension of

16-inches wide by 60-inches tall by 4-inches deep. The facility includes an equipment area that is proposed to be located on the slope adjacent to the antennas. The equipment area consists of a 220 square-foot concrete pad surrounded by a block wall and a wood fence. The equipment enclosure would contain the associated electronic cabinets and power supply for the facility.

FISCAL IMPACT:

None.

All costs associated with the processing of this application are paid for by the applicant.

Loveland/Christiansen/JPH

LEGAL DESCRIPTION:

The project site is located at 13003 Avenida Grande in the Rancho Penasquitos Community and is more particularly described as Lot 29, Penasquitos View Unit 1, of Map No. 6654.

NOTE: Negative Declaration No. 99-0464-54 has been prepared for this project in accordance with Article 19, Section 15302 of the California Environmental Quality Act (CEQA) and concluded that implementation of the facility would not result in any adverse impacts upon the surrounding environment. No mitigation measures will be required.

FILE LOCATION: PERM 99-0464-54 (65)

COUNCIL ACTION: Tape location: C052-430; D016-E397.)

Hearing began at 11:31 a.m. and recessed at 12:00 p.m.

Hearing resumed at 2:07 and halted at 2:22 p.m.

Testimony in opposition by Dick Flanagan, Lisa Castle, Adrian Krowosky, John Sandri, Patsy Vawter, Sandra Lofaro.

Testimony in favor by Jeremy Stern.

Motion by Madaffer to approve the CUP 99-0464-54 and make the findings as stated in the negative declaration. Second by Wear. No vote taken.

MOTION BY MAIENSCHIN TO CONTINUE TO TUESDAY, MAY 1, 2001 FOR FURTHER FINDINGS. Second by Wear. Passed by the following vote: Peters-yea, Wear-nay, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-nay, Inzunza-yea, Mayor Murphy-yea.

ITEM-331: Two actions related to Southcrest Park Estates Phase II Maintenance Assessment District.

(Southcrest Community Area. Districts-4 and 8.)

(Continued from the meetings of 3/5/2001, Item 200 and 3/20/2001, Item 335; last continued at the City Manager's request, for further review.)

NOTE: Hearing Open. No public testimony taken on 3/20/2001.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-929) DISTRICT ABANDONED

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Southcrest Park Estates II Maintenance Assessment District.

Subitem-B: (R-2001-931) NOTED AND FILED

Approving the Fiscal Year 2002 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2002 assessment for the Southcrest Park Estates Phase II Maintenance Assessment District (District). The District is located in the Southcrest Community situated east of Interstate 5 along the north side of Chollas Creek drainage channel between 35th Street and 38th Street and the south side of Chollas Creek drainage channel between 38th Street and 39th Street. The purpose of the District is to fund the maintenance of 1.39 acres of landscaped slope and irrigation adjacent to the Chollas Creek drainage channel.

The Fiscal Year 2002 proposed maintenance costs for the District are as follows:

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00 \$	0.00 \$	0.00
REVENUE:			
Assessments	\$ 27,680.00	0.00	\$ 27,680.00
Interest	0.00	0.00	0.00
City Contribution	0.00	0.00	0.00
TOTAL REVENUE	\$ 27,680.00 \$	0.00	\$ 27,680.00
TRANSFER	(3,105.00)	3,105.00	0.00
EXPENSE:			
Personnel	\$ 3,222.00	\$ 0.00	\$ 3,222.00
Contractual	11,000.00	0.00	11,000.00
Incidental	5,973.00	0.00	5,973.00
Utilities	4,380.00	0.00	4,380.00
TOTAL EXPENSE	\$ 24,575.00	\$ 0.00	\$24,575.00
ENDING BALANCE	\$ 0.00	\$ 3,105.00	\$ 3,105.00

The proposed assessment for Fiscal Year 2002 is \$444.48 per Equivalent Benefit Unit (EBU), with a maximum assessment authorized of \$597.03 per EBU. The assessment may be indexed annually by the factor published in the San Diego CPI-U. The District contains a total of 62.28 EBU's.

FISCAL IMPACT:

All costs are assessed to the District. There is no net fiscal impact.

Loveland/McLatchy/SY

NOTE: See the Redevelopment Agency Agenda of April 3, 2001 for a companion item. The Redevelopment Agency item should be taken first.

FILE LOCATION: STRT-M-423-02 (34)

COUNCIL ACTION: (Tape location: E550-572; F076-093.)

Hearing began at 3:35 p.m. and halted at 3:40 p.m.

MOTION BY STEVENS TO CERTIFY THE VOTE; THAT THE COUNCIL CONFIRMS THAT A MAJORITY PROTEST EXISTS FOR THE DISTRICT AND THAT THE ASSESSMENTS SHALL NOT BE LEVIED AND THAT THE MAINTENANCE DISTRICT WILL NOT BE FORMED AND NO CITY MONIES WILL BE SPENT ON THAT DISTRICT. Second by Inzunza. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-332: Two actions related to Inviting Bids for the Construction of UCSD Trunk Sewer.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

Subitem-A: (R-2001-818) ADOPTED AS RESOLUTION R-294728

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of UCSD Trunk Sewer on Work Order No. 173991;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$3,450,000 from Sewer Fund No. 41506, CIP-46-198.0, UCSD Trunk Sewer, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K01055C)

Subitem-B: (R-2001-819) ADOPTED AS RESOLUTION R-294729

Certifying that Mitigated Negative Declaration LDR-40-0557 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Construction of UCSD Trunk Sewer;

Approving the Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project in order to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

The UCSD Trunk Sewer is located in the La Jolla and University City communities, along Gilman Drive. The existing 15-inch VC Trunk Sewer was built in 1958. It has been identified as containing extreme root intrusion, old, undersized, and deteriorated. The existing sewer line and manholes will be abandoned after the construction and installation of nearly 5,900 linear feet of 24-inch Trunk Sewer. This proposed Trunk Sewer will continue to provide the community with a safe and reliable infrastructure while having the least detrimental effect on the environment.

FISCAL IMPACT:

The total estimated construction and related cost of this project is \$3,450,000, of which \$590,000 is for engineering and inspection, \$2,690,000 for construction, and \$170,000 for contingencies. Funding is available in Sewer Fund 41506, CIP-46-198.0, UCSD Trunk Sewer, for this purpose. This project will be phase-funded.

Loveland/Belock/HR

WWF-01-497.

FILE LOCATION: CONT - El Cajon Grading & Engr Co., Inc.; W.O. 173991

COUNCIL ACTION: (Tape location: E573-F005.)

MOTION BY STEVENS TO ADOPT. Second by Atkins. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant,
Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-333: Inviting Bids for the Construction of Powder House Canyon Trunk Sewer.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-816) ADOPTED AS RESOLUTION R-294730

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the construction of Powder House Canyon Trunk Sewer on Work Order No. 174871;

Authorizing a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$2,000,000 from Sewer Fund No. 41506, CIP-46-195.0, Belt Street Trunk Sewer, to Sewer Fund No. 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation;

Authorizing the expenditure of not to exceed \$1,630,000 from Sewer Fund No. 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation for providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K01056C)

CITY MANAGER SUPPORTING INFORMATION:

This project will replace 4,500 feet of existing 18-inch trunk sewer with a 21-inch trunk sewer that will be located within the paved southbound portion of Florida Drive. The existing sewer line and manholes will be abandoned and the area restored to native vegetation.

FISCAL IMPACT:

The total estimated cost of this project is \$1,630,000; of which \$280,000 is for engineering and inspection, \$1,270,000 for construction, and \$80,000 for contingencies. Funding is available in Sewer Fund 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation, for this purpose. This project may be phase-funded.

Loveland/Belock/HR

Aud. Cert. 2100903.

WWF-01-502.

FILE LOCATION: CONT - C & L Construction, Inc.; W.O. 174871

COUNCIL ACTION: (Tape location: F006-017.)

MOTION BY STEVENS TO ADOPT. Second by Peters. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant,
Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-334: Inviting Bids for the Construction of Water Group 525A.

(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-822) ADOPTED AS RESOLUTION R-294731

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Water Group 525A on Work Order No. 184121;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$2,333,765 from Water Fund No. 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement for providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K01059C)

CITY MANAGER SUPPORTING INFORMATION:

This project is part of the City's ongoing cast iron water main replacement program. Water Group 525A will replace approximately 4,360 linear feet of existing 16-inch cast iron mains. The water mains were constructed as early as 1942 and have reached the end of their useful service life. Replacement of these deteriorated water mains will provide the community with a safe, reliable water infrastructure well into the 21st Century. This project is located in the Barrio Logan area, and includes Harbor Drive from 32nd Street on the north, to Vesta Street on the south; and Vesta Street from Harbor Drive on the west, to Main Street on the east. Work on Harbor Drive between 32nd Street and Vesta Street will be performed during the day from 8:30 a.m. to 3:30 p.m. Work at the intersection of Harbor Drive and 32nd Street will be performed at night from 7:00 p.m. to 5:00 a.m.

FISCAL IMPACT:

The total estimated cost of this project is \$2,333,765. Funding is available in FY 2001 and FY 2002 Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, for this purpose. Included in the above cost estimate is \$64,670 for City force work. This project may be phase-funded.

Loveland/Belock/HR

WWF-01-511.

FILE LOCATION: CONT - Metropolitan Construction; W.O. 184121

COUNCIL ACTION: (Tape location: F018-024.)

MOTION BY INZUNZA TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-335: Inviting Bids for the Construction of Water Main Replacement Group 532.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-817) ADOPTED AS RESOLUTION R-294732

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Water Main Replacement Group 532 on Work Order No. 182911;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$3,925,100 from Water Fund No. 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the use of City forces in the amount of \$182,000 for additional construction services. (BID-K01057C)

CITY MANAGER SUPPORTING INFORMATION:

Water Main Replacement Group 532 is part of the City's ongoing cast iron water main replacement program. This action involves the replacement of approximately 2,000 linear feet of 8-inch and 7,600 linear feet of 16-inch cast iron water mains. The water mains were constructed as early as 1901 and have reached the end of their useful service life. Replacement of these deteriorated water mains will provide the community with a safe, reliable water infrastructure well into the 21st Century. This project is located in the Centre City area, and includes North Harbor Drive from Laurel Street on the north, to Harbor Drive on the south; Harbor Drive just west of Pacific Highway, and Pacific Highway from F Street on the north, to Harbor Drive on the south. Work on North Harbor Drive between Harbor Lane and Broadway, and also North Harbor Drive between Ash Street and Laurel Street, will be performed at night from 9:00 p.m. to 6:00 a.m. Work on Pacific Highway between F Street and Harbor Drive, Harbor Drive between Pacific Highway and Harbor Lane, and on North Harbor Drive between Broadway and Ash Street, will be performed during the day, from 8:30 a.m. to 3:30 p.m. Construction Moratoriums apply to this project as follows:

Summer Beach Moratorium (Memorial Day to Labor Day): No work shall be performed on North Harbor Drive from Broadway to Grape Street. Holiday Season Moratorium (Thanksgiving Day to New Years Day): No work shall be performed on Pacific Highway (F Street to Harbor Drive), Harbor Drive (west of Pacific Highway), and North Harbor Drive (Harbor Drive to Cedar Street). Holiday Bowl Parade Moratorium (December 28, 2001): No work shall be performed anywhere in the entire project.

FISCAL IMPACT:

The total estimated cost for construction of this project is \$3,925,100. Funding is available from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement. This project may be phase-funded.

Loveland/Belock/HR

WWF-01-499.

FILE LOCATION: W.O. 182911

COUNCIL ACTION: (Tape location: F025-049.)

MOTION BY WEAR TO ADOPT. Second by Peters. Passed by the following vote:
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant,
Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-336: Appointment of Management Team for Purpose of Meeting and Conferring with
Employee Organizations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1257) ADOPTED AS RESOLUTION R-294733

Appointing and designating the following persons as the Management Team for
purposes of meeting and conferring with recognized employee organizations:

Michael T. Uberuaga, City Manager
P. Lamont Ewell, Assistant City Manager
Cathy Lexin, Human Resources Director
Dan Kelley, Labor Relations Manager
Stanley Griffith, Labor Relations Officer
Michael McGhee, Labor Relations Officer
Theresa McAteer, Head Deputy City Attorney
Sharon Marshall, Deputy City Attorney
Michael Rivo, Deputy City Attorney

Appointing and designating the Personnel Director and the Retirement
Administrator as members of the Management Team for all purposes except
meeting and conferring with employee organizations.

CITY MANAGER SUPPORTING INFORMATION:

In accordance with the provisions of California Government Code 3500 et seq., commonly referred to as the Meyer-Milius-Brown Act (MMBA), the City Council has adopted Council Policy 300-6 which provides the rules and regulations governing employer-employee relations. Contained in MMBA and Council Policy 300-6 is the authority for the City Council to designate a Management Team as its representative to carry out the meet and confer process. It is recommended that the resolution be adopted which designates the following persons as the Management Team for purposes of meeting and conferring with employee organizations: Michael T. Uberuaga, City Manager; P. Lamont Ewell, Assistant City Manager; Cathy Lexin, Human Resources Director; Dan Kelley, Labor Relations Manager; Stanley Griffith, Labor Relations Officer; Michael McGhee, Labor Relations Officer; Theresa McAteer, Deputy City Attorney; Sharon Marshall, Deputy City Attorney; Michael Rivo, Deputy City Attorney; and that the Personnel Director and Retirement Administrator be appointed as members of the Management Team, pursuant to Council Policy 300-6 for all purposes except meeting and conferring with organizations.

FISCAL IMPACT:

None

Ewell/Lexin

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F050-075.)

MOTION BY WEAR TO ADOPT. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-not present, Inzunza-yea, Mayor Murphy-yea.

ITEM-337: Chollas Community Park and Coast Boulevard Walkway - De-appropriation of Funds.

(Mid-City and La Jolla Community Areas. Districts-4 and 1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1275 Cor. Copy 2) RETURNED TO THE CITY MANAGER

Authorizing the City Auditor and Comptroller to de-appropriate and to return to the fund balance \$106,000 from CIP-29-667.0, Chollas Community Park Master Plan and Development, to Southeastern San Diego Development Impact Fees, Fund No. 79511;

Authorizing the City Auditor and Comptroller to de-appropriate and to return to the fund balance \$70,000 from CIP-29-486.0, Coast Boulevard Walkway Improvements, to La Jolla Development Impact Fee, Fund No. 79514.

CITY MANAGER SUPPORTING INFORMATION:

In March 1999, \$106,000 in Southeastern Development Impact Fees were appropriated to the Chollas Community Park project through a previous council action. Subsequently, it was learned that the Chollas Community Park project was ineligible for use of these funds because it actually exists within the Mid-City Community Planning area. Therefore, this action provides for the de-appropriation of the funds and returns them to the fund balance to be utilized on a Southeastern San Diego project. Similarly, \$70,000 in La Jolla Development Impact Fee funds were erroneously appropriated to the Coast Boulevard Walkway Improvements project. Therefore, this action provides for the de-appropriation of the funds and returns them to the fund balance to be utilized on another La Jolla Project.

FISCAL IMPACT:

Funds in the amount of \$106,000 are to be de-appropriated from CIP-29-667.0, Chollas Community Park Master Plan and Development, and returned to the fund balance, Southeastern Development Impact Fee, Fund No. 79511. Funds in the amount of \$70,000 are to be de-appropriated from CIP-29-486.0, Coast Boulevard Walkway Improvements, and returned to the fund balance, La Jolla Development Impact Fee, Fund No. 79514. This de-appropriation action will not have a detrimental effect on either project because both projects will have phased construction according to the availability of funding.

Loveland/McLatchy/DVW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A195-233.)

MOTION BY PETERS TO RETURN TO THE CITY MANAGER TO FIND ALTERNATIVE FUNDING SOURCES. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-338: Funding for SR-15 Bikeway.

(City Heights, Normal Heights, Kensington and Mission Valley Community Areas. Districts-3 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1239) ADOPTED AS RESOLUTION R-294734

Authorizing the City Manager to apply for and accept a total of \$2,213,250 in CMAQ Funds, Fund No. 38687 and \$286,750 in Prop A (Bikeway) Funds, Fund No. 30301, for the design and construction of State Route 15 Bikeway;

Authorizing the City Auditor and Comptroller to increase the Capital Improvement Program budget, to increase the appropriation of \$2.5 million to the FY2001 Capital Improvement Program for CIP-58-127.0;

Authorizing the expenditure of \$2.5 million in CIP-58-127.0, for the State Route 15 Bikeway, extending along I-15 between Landis Street and Camino Del Rio South, contingent upon receipt of a fully executed program supplement, and receipt of funds from SANDAG;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to apply for and accept a total of \$2,213,250 in CMAQ Funds from the State and \$286,750 in Prop A (Bikeway) Funds from SANDAG for the design and construction of State Route 15 Bikeway (CIP-58-127.0). Furthermore, it will authorize the expenditure of \$2,500,000 in CIP-58-127.0 for the design and construction of the State Route 15 Bikeway. The State Route 15 Bikeway will generally consist of a Class I Bikepath. It will abut State Route 15 and extend between Landis Street and Camino Del Rio South thereby connecting District 3 communities to Mission Valley and ultimately to the beach communities.

FISCAL IMPACT:

Adding and expending a total of \$2,213,250 in CMAQ Funds (Fund 38687) and \$286,750 in TransNet Bikeway Funds (Fund 30301) from CIP-58-127.0 (State Route Bikeway).

Loveland/Gonzalez/AH

Aud. Cert. 2100973.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F094-293.)

MOTION BY ATKINS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-not present, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-339: Brown Field Airport Pavement Improvement Project.

(Otay Mesa Community Area. District-8.)

ASSISTANT CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1280) ADOPTED AS RESOLUTION R-294735

Authorizing the Assistant City Manager to accept a grant of \$500,000 from the California Transportation Commission, for the Runway/Taxiway Pavement Project at Brown Field Airport;

Authorizing the Assistant City Manager to accept, for and on behalf of the City, a grant of \$150,000 from the Federal Aviation Administration, for the Runway/Taxiway Pavement Project at Brown Field Airport;

Authorizing the City Auditor and Comptroller to transfer \$85,000 from Airport Fund 41100 to CIP-31-174.0, Brown Field - Runway/Taxiway Pavement Improvement Project;

Amending the Fiscal Year 2001 Capital Improvements Program Budget to add CIP-31-174.0, Brown Field Airport Pavement Improvement Project, in the amount of \$735,000, contingent upon receipt of the grants.

ASSISTANT CITY MANAGER SUPPORTING INFORMATION:

The Airport Pavement Management System (APMS) for Brown Field Airport includes a recommendation that the runway and taxiway system be slurry sealed at least once every five years, to protect and extend the useful life of the asphalt. It is also a requirement under Federal Aviation Administration (FAA) Airport Sponsor Assurance Number 11 that the City implement a preventative pavement maintenance program. State and Federal grant funds have been made available to assist the City of San Diego to implement this program.

The APMS for Brown Field was originally prepared in 1995, to provide the State, FAA and City with information on the current and projected needs for repairing, maintaining or preserving site pavements, including cost estimates. It also presented projected conditions for the year 2000, anticipating that pavement rehabilitation would be deferred until funding was made available. In November 2000, a cursory pavement inspection was conducted and the results were organized into elements and charted with consideration given to usage, make-up, and construction history. The majority of the much needed work is on Runway 8L-26R, associated taxiways, and apron areas. The estimate for this project is approximately \$735,000.

FISCAL IMPACT:

None, if the grants are not accepted. If the grants are accepted, project cost is estimated at \$735,000. The California Transportation Commission has allocated a \$500,000 grant towards

the project. The FAA entitlement funding is \$150,000. The balance, \$85,000 is available from the Airport Enterprise Fund.

Herring/Griffith/TLM

Aud. Cert. 2100966.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F294-362.)

MOTION BY MADAFFER TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-not present, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-nay, Mayor Murphy-yea.

ITEM-340: Environmental Services Operations Center.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1269) ADOPTED AS RESOLUTION R-294736

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,000,000 from CIP-37-254.0, New Landfill Site - Phase I, Fund No. 41201 and \$300,000 from CIP-32-019.0, South Miramar Landfill Improvements, Fund No. 41201, to CIP-37-356.0, Environmental Services Operational Center;

Authorizing the expenditure of an amount not to exceed \$1,300,000 from CIP-37-356.0, Environmental Services Operational Center, to supplement funding previously authorized to complete additional work not part of the original plans and specifications, including storm drain improvements and related easements, Liquid Natural Gas (LNG) Refueling System, site improvements, Green Building modifications and other miscellaneous needs.

CITY MANAGER SUPPORTING INFORMATION:

The Environmental Services Department (ESD) Operations Center Project was authorized by the City Council on December 7, 1999, Resolution No. R-292578. This project facilitates centralization of collection services, including refuse, recycling, yard-waste and street litter collection services, at a single station. The department has acquired an existing facility at 8353 Miramar Place and the improvement project is more than 90% complete. These improvements will accommodate the department's collection activities which involves about 250 truck drivers and other support staff, and the supervision and management of these functions, and will provide facilities for the maintenance, fueling, and storage of approximately 180 heavy duty refuse packers. The project also facilitates the City's commitment to a Clean Energy Project involving conversion of its heavy duty collection fleet from diesel power to a cleaner burning dual fuel liquid natural gas (LNG) system. An additional \$1,300,000 is required to complete acquisition of necessary easements and install drainage improvements required by State Storm Water regulations, provide funding for the site improvements required for the LNG refueling station (the scope of which was unknown at the time of the original project authorization), provide funding for Green Building improvements including a photovoltaic array that will reduce future energy costs, and fund development of the Governor Drive Landfill Exit Road which will reduce truck mileage by over 500 miles per day. These items were not part of the original plans and specifications. Completion of these improvements will facilitate the relocation of ESD operations from four existing locations, making space available for other operations needs. Consolidation of collection operations at the new Environmental Services Operations Center will also facilitate operational efficiency and cost savings as recommended by the Zero Based Management Review Team (ZBMR)

FISCAL IMPACT:

Total project cost is estimated to be \$18,543,100 of which \$17,143,100 was previously authorized. \$1,000,000 is available in the CIP-37-254.0, New Landfill Site - Phase I, Fund No. 41201, and \$300,000 in CIP-32-019.0, South Miramar Landfill Improvements, Fund No. 41201.

Loveland/Belock/AO

Aud. Cert. 2100992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F363-381.)

MOTION BY MAIENSCHIEIN TO ADOPT. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-not present, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-341: Consultant Agreement for Sewer Pump Station 50 Rehabilitation and Upgrade Project.

(Mission Bay Park and Pacific Beach Community Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1232) ADOPTED AS RESOLUTION R-294737

Authorizing the City Manager to execute an agreement with Lee and Ro, Inc., not to exceed \$215,678, to perform consultant services, for Pump Station 50 Rehabilitation and Upgrade Project, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project and agreement;

Authorizing the expenditure of an amount not to exceed \$322,000 from Sewer Fund No. 41506, Sub CIP-46-106.0, Annual Allocation - Sewer Pump Stations, for Sewer Pump Station 50 Rehabilitation and Upgrade for providing funds for the project;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for providing a pre-design study and rehabilitation and upgrade design for Sewer Pump Station 50. Sewer Pump Station 50 is located at 3001 Ingraham Street in the Mission Bay Park area. Community areas are Mission Beach and Mission Bay Park. Sewer Pump Station 50 was built in 1960. A preliminary report prepared by the City's Wastewater

Collection Division shows that the station is in need of rehabilitation and upgrade to meet current City standards. The scope of work includes structural, geotechnical, electrical examination of the pump station, site investigation, preparation of a pre-design report, and the rehabilitation design of Sewer Pump Station 50. Ten (10) consultants were interviewed in conformance with Council Policy 300-7, and the firm of Lee & Ro, Inc., was selected as the best qualified firm to provide the design consultation.

FISCAL IMPACT:

The total consultant agreement cost is \$215,678 including \$196,678 for preliminary engineering and \$19,000 for additional services as required. In addition, \$106,322 is needed for in-house engineering. Funding is available from Sewer Fund 41506, CIP-46-106.0, Annual Allocations - Sewer Pump Stations, for this purpose.

Loveland/Belock/HR

Aud. Cert. 2100975.

WWF-01-506.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F382-393.)

MOTION BY WEAR TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-not present, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 4:03 p.m. in honor of the memory of:

John C. McCafferty as requested by Council Member Madaffer and
John "Mickey" Carhart as requested by Council Member Maienschein.

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for the Regular Meeting of Tuesday, April 3, 2001**

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FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: F394-434).